

Regular Session, 2012

SENATE BILL NO. 271

BY SENATOR PERRY

TAX/INCOME/PERSONAL. Provides for donations of tax refunds to the Dreams Come True, Inc., through a check-off box on state income tax returns. (gov sig)

AN ACT

To enact Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.102, relative to donations of refunds; to provide for such donations to the Dreams Come True, Inc.; to provide for the administration and disbursement of donated monies; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart DD of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.102 is hereby enacted to read as follows:

SUBPART DD. DREAMS COME TRUE, INC., DONATION

§120.102. Income tax checkoff; donation for Dreams Come True, Inc.

A. Every individual who files an individual income tax return for the current tax year and who is entitled to a refund may designate on his current year return that all or any portion of the total amount of the refund to which he is entitled shall be donated to Dreams Come True, Inc., hereinafter referred to as "DCT", in lieu of that amount being paid to him as a refund, in which case

1 the refund shall be reduced by the amount so designated. The designation shall
2 be made at the time of the filing of the current year tax return and shall be
3 made on the income tax return form as prescribed by the secretary of the
4 Department of Revenue. Donated monies shall be administered by the secretary
5 and distributed to Dreams Come True, Inc., in accordance with the provisions
6 of R.S. 47:120.37. No donation made under the provisions of this Subsection
7 shall be invalid for lack of an authentic act.

8 B. The DCT shall use the monies derived from such donations for the
9 purpose of granting dreams to children with life-threatening illnesses.

10 C. The Senate Committee on Revenue and Fiscal Affairs or the House
11 Committee on Ways and Means, may, at their discretion, request a report from
12 DCT relative to its operations. The form and content of the report shall be
13 prescribed by the chairman of the committee, but the report shall at a minimum
14 contain a detailed explanation of the revenues and expenditures, as well as a
15 description of the organization's activities. The committee may summon any
16 person employed by or associated with DCT to provide testimony with respect
17 to the report.

18 Section 2. The provisions of this Act shall be applicable to taxable years beginning
19 on or after January 1, 2012.

20 Section 3. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Danielle Doiron.

DIGEST

Perry (SB 271)

Proposed law provides for an individual income tax checkoff under which an individual can donate a portion of his state income tax refund, or other monies, to the Dreams Come True, Inc., hereinafter "DCT".

Proposed law provides that the secretary of the Department of Revenue shall administer and distribute the donated monies to DCT.

Proposed law authorizes the Senate Committee on Revenue and Fiscal Affairs and the House Committee on Ways and Means, at their discretion, to request reports from DCT relative to its operations. The form and content of the report shall be prescribed by the chairman of the committee, but shall at a minimum contain a detailed explanation of the revenues and expenditures, as well as a description of the organization's activities.

Effective upon signature of the governor or lapse of time for gubernatorial action, and applicable to taxable years beginning on or after Jan. 1, 2012.

(Adds R.S. 47:120.102)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Deletes the creation and disbursement of the Dreams Come True Fund within the state treasury.
2. Provides that the secretary of the Department of Revenue shall administer and distribute the donated monies to Dreams Come True.